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PATENT APPLICATION DOCKET NO.: 3506.1000-002

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven B. Landau

Application No.:

10/757,364

Group Art Unit: 1617

Filed:

January 13, 2004

Examiner: Yong Soo Chong

Confirmation No.:

3343

Title:

METHOD OF TREATING FUNCTIONAL BOWEL DISORDERS

CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: 5-24-2006 Date Amy T. Comeau Typed or printed name of person signing certificate

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-145

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Sir:	
This I	Information Disclosure Statement is submitted: under 37 CFR 1.129(a), or (First/Second submission after Final Rejection)
[X]	under 37 CFR 1.97(b), or (Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
[]	under 37 CFR 1.97(c) together with either: [] a Statement under 37 CFR 1.97(e), as checked below, or [] a \$180.00 fee under 37 CFR 1.17(p), or (After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
[]	under 37 CFR 1.97(d) together with: [] a Statement under 37 CFR 1.97(e), as checked below, and [] a \$180.00 fee under 37 CFR 1.17(p), or (Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
[]	under 37 CFR 1.97(i): Applicant requests that the IDS and cited reference(s) be placed in the application file. (Filed after payment of issue fee)

State	ment Un	<u>der 37 (</u>	CFR 1.97(e)
[]	any co	mmuni	information contained in this Information Disclosure Statement was first cited in cation from a foreign patent office in a counterpart foreign application not more nths prior to the filing of this Information Disclosure Statement; or
[]	No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contains in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.		
State	ment Un	der 37 (CFR 1.704(d) (Patent Term Adjustment) Applies to original applications (other than design) filed on or after May 29, 2000
[]	comm was n	unication of receive	information contained in the Information Disclosure Statement was cited in a on from a foreign patent office in a counterpart application and this communication wed by any individual designated in § 1.56(c) more than thirty days prior to the aformation Disclosure Statement.
[X]	Enclo	sed here	ewith is form PTO-1449:
	[X]	Copie	s of the cited references (AP3, AS5-AV5) are enclosed.
		[X]	Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
	[]	Applie	s of the cited references are enclosed except those entered in prior application, U.S. cation No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier ation contains copies of the cited references.]
	[]	The li	sted references were cited in the enclosed International Search Report in a erpart foreign application.
	[]	The "o	concise explanation" requirement (non-English references) for reference(s) [37 CFR 1.98(a)(3) is satisfied by:
		[]	the explanation provided on the attached sheet.
		[]	the explanation provided in the Specification.
		[]	submission of the enclosed International Search Report.
		[]	submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
		[]	the enclosed English language abstract.

[]		ant requests that the following n		
Examiner's Initials				
		U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
		U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
		U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
		Examiner	Date	-
	[]	A copy of each above-cited app any application filed on or after Image File Wrapper (IFW) syst	June 30, 2003, which has be	een scanned into the PTO's
	[]	A copy of each above-cited app those entered in prior application 35 U.S.C. 120 is claimed.	olication, including the current on, U.S. Application No. [nt claims, is enclosed, except], to which priority under
The Ex	kaminer nces we	is requested to return a copy of re considered with the next offic	the above list of pending appe communication.	olications indicating which
It is re	quested	that the information disclosed h	erein be made of record in the	nis application.
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[]	A chec	ck for the fee noted above is encl panying Reply. A copy of this S	osed, or the fee has been inc tatement is enclosed.	luded in the check with the
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[X]	Please	charge any deficiency in fees an	d credit any overpayment to	Deposit Account 08-0380.
		F	Respectfully submitted,	
		H	HAMILTON, BROOK, SMI	ΓΗ & REYNOLDS, P.C.
		E	Christine M. Doe Registration No.: 58,073 Telephone: (978) 341-0036 Facsimile: (978) 341-0136	Due

Concord, MA 01742-9133
Dated: Way 24, 2006

PTO-1449 REPRODUCED			APPLICATION NO. 10/757,364	
P INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION	FIRST NAMED INVENTOR Steven B. Landau		FILING DATE January 13, 2004	
MAY 2.6 2006 May 24, 2006 Use several sheets if necessary)	EXAMINER Yong Soo Chong	CONF. 3343	IRMATION NO.	GROUP 1617

	_	U.S. P.	ATENT DOCUMENTS		
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	
	AF5	6,475,078 B2	11-05-2002	Jerussi et al.	
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	AC6	2004/0147510 A1	07-29-2004	Landau	

	F	OREIGN PATENT DO	OCUMENTS	
	DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO
AP3	WO 2004/062624 A3	07-29-2004	Dynogen Pharmaceuticals, Inc.	

	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
AS5	Steadman, C.J., et al., "Selective 5-Hydroxytryptamine Type 3 Receptor Antagonism With Ondansetron as Treatment for Diarrhea-Predominant Irritable Bowel Syndrome: A Pilot Study," <i>Mayo Clinic Proc.</i> , 67(8): 732-738 (1992).
AT5	"Dynogen Pharmaceuticals, Inc. Enters Into Agreement With Mitsubishi Pharma For Irritable Bowel Syndrome Compound," Dynogen Pharmaceuticals, Inc. Press Release, pp. 1-2 [online], (December 22, 2003). Retrieved from the Internet <url: <a="" href="www.dynogen.com">www.dynogen.com.</url:>
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AV5	Database CIN 2004-01-05, "Life Sciences in Brief," [online], January 5, 2004 (retrieved online January 31, 2006). Retrieved from: STN Database, Accession No. 33(3):1518T

EXAMINER	DATE CONSIDERED